

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

Sheila Renee Bell
Christopher Bell

vs.

Galveston County - Medical Examiner's Office

COMPLAINT

TO: THE HONORABLE JUDGE GEORGE C. HANKS JR.:

My Dad, Cornelius P. Wilson passed away October 26, 2017. Within days, the *Medical Examiner's Office*: opposed me; refused to release dad's *remains*, and gave dad to Kayla Wilson in 2018. Kayla secretly had dad "cremated" without my knowledge/consent. The Medical Examiner's actions were: Unconstitutional, retaliatory & "grossly negligent."

"...it is not unfair to hold liable the official who knows or should know he is acting outside the law... (*Scheuer* [438 U.S. 478, 507] "...when a state officer acts under a state law in a manner violative of the Federal Constitution, he "comes into conflict with the superior authority of that Constitution...and is subjected...to the consequences of his conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States." *Id.* at 159-160

Summary Judgment

I, Sheila Renee Bell request "Summary Judgment" in this Case due to: Violations of me & my family's Civil Rights. "...Movant is entitled to prevail as a matter of law."

Dad, Medical Examiner's Office & Probate Court

Many “Biological” Family’s were “forced” off-the-island. The Medical Examiner’s inhumane treatment, delay & disposal of my dad’s remains is typical of how “Pro-Adoption” Officials “separated” & mistreated Black Biological Family’s. It all stems from a “pattern” of years of “retaliation” by the D.A & other officials because we “Won” our 2003 State Trial, which then was “the biggest, longest & most expensive” CPS Trial in Galveston history.

There was a *history*:

Around 2013, Kayla put dad in a psych hospital & stole his assets. Dad later filed against Kayla & got his money back. While in the hospital, Dad’s sisters stole his property, then later tried to sell it without dad’s knowledge, but needed dad’s signature to close the sale. (See “Track Realty” Documents) Dad “refused” to sign.

In 2015, UTMB Hospital diagnosed dad with “E-coli.” (See UTMB/E-coli) Dad’s sisters: conspired & influenced UTMB Hospital to have dad declared “mentally incompetent” to steal his assets, then UTMB stopped talking about dad to me and spoke to dad’s sister instead. (See UTMB Diagnosis, Discharge Summary) Social Worker’s conspired along with dad’s sisters to get a “psych” diagnosis claiming dad “was not competent,” then, turned around & coerced my dad to sign a “DO NOT RESCUSITATE ORDER” stating he was “competent.” (See “DO NOT RESCUSITATE ORDER & UTMB Summary Notes. Kayla & my dad sisters needed declared “mentally incompetent” or “dead” in order to steal his assets. Dad & I wouldn’t let them when he was alive, so now Kayla & dad’s sisters are trying to take it now. Dad trusted me to have it & made me his “power of attorney.” (See “Power of Attorney”) UTMB Hospital: “refused” to talk to me about my dad’s care once his sister’s got involved & conspired together

against me, made dad's sister's "medical power of attorney instead & would only talk to *them*, medically neglected my dad by "delaying" dad's "necessary" procedure; and, were getting ready to "discharge" my dad did not call me until dad's sister's "refused" to sign consent for dad's procedure. (see UTMB Hospital Discharge Summary)

It was all a "scheme" devised to steal dad's assets. *None* of them had seen dad in years.

In 2015 Debbie Diaz, Investigator/**Probate** Court) tried to coerce me into a "Guardianship" about my dad after *Adult Protective Services* took Custody of my dad out of UTMB Hospital without a Case, Police Report, Warrant, formal charges or even a "letter" explaining why? Social Worker's repeatedly kept harassing me by Violating my Civil Right to "privacy." (See Social Worker Cards)

In 2016, Ms. Diaz called again for the same reason.

On October 27, 2017, my dad passed away. The Medical Examiner's Office refused to release y dad's body to me.

On 11/6/17, the Medical Examiner's Office said: "we will need a Court Order to release him..." And, at the very beginning we very "hostile" & "confrontational."

On 11/17/17, the Medical Examiner's Office said (and I quote): "...it's in the **Probate** Courts hands...if you have questions about it you need to contact the **Probate** Court... The burden is not to prove that she is his daughter...If you have an issue...you have to go to Court to get this resolved...I don't need to submit anything to you in writing....you have to call he **Probate** Court...I am saying that ...until there is a "Court Order," he will not be released from here... I am advising you that if you want to control the disposition of the remains of your father

then you should contact the Probate Court...then he'll sit here until someone provides a Court Order...My names' Nicole and please don't call here anymore..." (Please see recording on "flash-drive") My dad did indeed "sit there" at the M.E.'S office almost a year, just like Nicole said.

The Medical Examiner' Office arrogantly: defied my Federal Lawsuit by ot even responding to it; acted like a judge & jury; had *already* sided *against* me & for Kayla day-1; and, even "choose Probate court" would decide my dad's fate.

August 2018, I found out from *James Funeral Home* in Lake Charles, La - Kayla had my dad *secretly* "cremated" via Court Order (Galveston)

Officials *knew me* from past cases & took revenge, took my children, took dad's remains and, have been *bullying, stalking, harassing & attacking* me in "retaliation" ever since.

Claims

The Medical Examiner's Office acted in "bad faith."

I, Sheila Bell am suing the Medical Examiner's office for: the "release" of my dad's remains to me; the OVETURN & REVOKING of "all" previous Probate Orders; Re-issuance of "New Orders" in my favor; a "freeze" of all my dad's assets & \$106 Million.

A federal plaintiff is "not required to utilize state judicial remedies before, or instead of, bringing a Section 1983 action in federal court. (*Leaf v. Supreme Court*, 979 F.2d 589, 598 (7th Cir. 1992)

"...In *Mitchum v. Foster*, the United States Supreme Court held that actions brought under 42 U.SC. § 1983 are specifically excepted..."

"...The Court held...an officer of the state acting in an unconstitutional manner could be sued by one of its citizens...states could be sued, even

without their consent, merely by naming the official who engaged in unconstitutional behavior... (*Ex Parte Young*, 209 U.S. at 159-60)

“...the Court held that a federal plaintiff remanded to a state court proceeding is not forced to litigate the constitutional question in state court. The federal plaintiff is only required to “inform[the state court] what [the]federal claims are...” the federal litigant’s right to a choice of forum was therefore preserved by the Court’s decision...(*England*, 375 U.S. at 420)

I file this lawsuit under 42 U.S.C. 1983 for violations of my Civil Rights; Abuse of a Corpse; cruel & unusual punishment, Interference with family relations; Violations of Due Process, 1st, 4th, 6th, 8th & 14th Amendments.

The Medical Examiner’s Office deliberately ignored & failed to respond to my 2017 Federal Lawsuit. (See Certified Receipts). Did I “win” by default?

“...civil legislation...can be objected to as violating due process...” (*Usery v. Turner Elkhorn Mining Company*, 428 U.S. 1 (1976); *Frank v. Magnum*, 237 U.S. 309 (1915); *Ross v. Oregon*, 227 U.S. 150 (1913)

States can be sued for actions that violate the 14th Amendment. (*United States v. Georgia*)

The Medical Examiner’s Office: *abused* my dad’s corpse; maliciously “delayed” hearings; “delayed” the release of my dad’s body in a “timely” manner (10-mos.); *negligently* “seized & held” my dad’s body almost a year; *negligently* caused dad’s body to “badly decompose;” *refused* to “release” my dad’s to me; *negligently* released my dad’s body to Kayla Wilson, with whom dad was “estranged” & had not seen or contacted in years; *negligently* “released” my dad’s body to Kayla *without* a background check; “*negligently* failed to notify me about my dad’s status; knew my “home address” but negligently failed to “notify” me of Court Hearings to my mailing address like it had done before.

“Unusual & Extraordinary” Circumstances

“...there are...circumstances when federal court intervention is necessary to protect basic civil liberties guaranteed under the United States Constitution. (*Charles Alan Wright ET.AL., FEDERAL PRACTICE AND PROCEDURE* § 4241(1988)

“... Federal courts can intervene when there are “special circumstances,” including “...prosecutorial bad faith...” (*Younger*, 401 U.S. at 49-50, 56) or blatant and flagrant unconstitutional construction (*Younger*, 401 U.S. 66 (1971)

Cases Connected; Statute of Limitations Interrupted

I filed Federal Lawsuits in: 2002 (3:02-CV-139); 2004 (3:04-CV-288); 2005 (3:05-CV-116); 2006 (3:06-CV-683); 2007 (3:07-0440); 2009 (3:09-0012); 2011 (3:11 mc 14); 2013 (3:13 cv 0104); 2014 (14 mc 0022); 2015 (15 cv 209); and 2017 (17 cv 00364). Our family has also been involved with various *types* of cases which “connected, crossed-over and/oe intertwined” in: Probate, Family Court, Criminal & Federal Court.

Since “all” of my cases (Probate, Family, Criminal & Federal) were “connected,” the following may apply.

“...filing of suit interrupts running of limitations...” (*Pacific Greyhound Lines v. Tuck* (Civ. App 1948) 217 S.W.2d 699, ref. n.r.e.

“...Whether plaintiff’s claim is barred by limitations depends on whether plaintiff interrupted running of limitations. (*Weaver v. E-Z Mart Stores, Inc.* (App. 6 Dist 1997) 942 S.W. 2d 167...”

“Statute of limitations on legal malpractice claim was tolled until final judgment was issued in lawsuit giving rise to claim, although client did not appeal; to allow statute of limitations to begin running earlier would force client to take conflicting positions in two live cases, and would not allow legal system chance to resolve underlying case in client’s favor before commencing limitations on his right to sue attorney.” (*Washington v. Georges* (App. 5 Dist. 1992) 837 S.W.2d 146.

“...Where husband is joined pro forma in petition by his wife...he is a real party in interest” and filing suit interrupts running of limitations against his cause of action...” *Pacific Greyhound Lines v. Tuck* (1948) 217 S.W.2d 699

“...Plaintiff may toll statute of limitations if she affirmatively plead... “Hughes rule” which holds that statute does not begin to run until all appeals on underlying claim are exhausted. *Hall v. Stephenson* (1996) 919 S.W.2d 45

Texas statute of limitations applicable to pro se litigant’s § 1983 action was equitably tolled from time that his initial § 1983 was dismissed, as being in effect habeas corpus action necessitating exhaustion of state remedies...” *Rodriguez v. Holmes, C.A. 5 (Tex) 1992, 963 F2d 799*

“Intentionally engaging in wrongful conduct..may be basis for tolling statute of limitations under adverse domination doctrine, encompasses: intentionally committing regulatory violation; intentionally concealing vital information; intentionally engaging in other illegal activity; or committing fraud.” *F.D.I.C. v. Henderson, E.D.Tex1994, 849 F. Supp. 495, affirmed 61 F.3d 421.*

“Period of limitations for legal malpractice actions does not automatically begin to run when attorney-client relationship ends; fraudulent concealment by attorney which extends beyond period of representation will toll accrual date.” *Willis v. Maverick (App. 4 Dist 1986) 723 S.W.2d 259*

“Statute of limitations on legal malpractice claim was tolled until final judgment was issued in lawsuit giving rise to claim, although client did not appeal; to allow statute of limitations to begin running earlier would force client to take conflicting positions in two live cases, and would not allow legal system chance to resolve underlying case in client’s favor before commencing limitations on his right to sue attorney.”*Washington v. Georges (App. 5 Dist. 1992) 837 S.W.2d 146.*

“...amended and supplemental pleadings relate back to filing of original pleading; amended pleading alleging new cause of action relates back to original filing and is not subject to limitations defense...” *J.K. and Susie L. Wadley Research Institute and Blood Bank v. Beeson* 835 S.W.2d 689)

Gross negligence ...could trigger adverse domination tolling of Texas statute of limitation... (*F.D.I.C. v. Henderson, E.D. Tex 1994, 849 F. Supp. 495*)

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Gross negligence ...could trigger adverse domination tolling of Texas statute of limitation on tort claims... (*F.D.I.C. v. Henderson*, E.D. Tex 1994, 849 F. Supp. 495)

Texas statute of limitations applicable to pro se litigants § 1983 action was equitably tolled from time that his initial § 1983 claim was dismissed...considering litigant’s diligence and persistence and intervening change to Texas tolling statute...*Rodriguez v. Holmes*, C.A.5 (Tex) 1992, 963 F.2d 799.

All Appeals have not been exhausted in this Case.

I believe I have “interrupted” running of limitations because I have filed previous cases.
“...filing of suit interrupts running of limitations...” (*Pacific Greyhound Lines v. Tuck* (Civ. App 1948) 217 S.W.2d 699, ref. n.r.e.

“...Whether plaintiff’s claim is barred by limitations depends on whether plaintiff interrupted running of limitations. (*Weaver v. E-Z Mart Stores, Inc.* (App. 6 Dist 1997) 942 S.W. 2d 167...”

State “Control” – State Courts ONLY

I filed my 2017 Lawsuit in **Federal Court, 1st**. The Medical Examiner’s Office filed their case **2nd in Probate Court afterwards**, then completely “ignored” my lawsuit in order to “keep control” of my dad’s Case, remains & rulings like the State did in our Probate & Family Cases.

The State *routinely* demands “control” of Black, Biological, poor, low-income & elderly Galveston residents and forces us into “its own” Courts where it can maintain “control.” he State has “no control” in Federal Courts. Federal Cases are a “threat” to State Venus.

The Medical Examiner's Office does NOT want this case heard in Federal Court, so it ignored my 2017 Lawsuit. They didn't even respond to it. Deceived me & held hearings without me.

Request For Attorney

Pro Se litigant's complaint must be held to "less stringent standards than formal pleadings drafted by lawyers. *Haines v. Kemer*, 92 S.Ct 594 595 (1972)

I, Sheila Bell am a "Pro Se" litigant because I cannot afford to hire an attorney. I Request the Court to Appoint me an Attorney. I need one or two or a team like the Defendants.

Texas statute of limitations applicable to pro se litigant's § 1983 action was equitably tolled from time that his initial § 1983 was dismissed, as being in effect habeas corpus action necessitating exhaustion of state remedies..." *Rodriguez v. Holmes*, C.A. 5 (Tex) 1992, 963 F2d 799

Texas statute of limitations applicable to pro se litigants § 1983 action was equitably tolled from time that his initial § 1983 claim was dismissed...considering litigant's diligence and persistence and intervening change to Texas tolling statute...*Rodriguez v. Holmes*, C.A.5 (Tex) 1992, 963 F.2d 799.

The Defendants *already* have attorney's to represent them in this case. I do not and cannot afford to hire one. I've called & asked numerous attorneys represent me to no avail. Yet I still need an attorney(s).

I pray & ask the Court to appoint me Attorney's for this case. I am NOT an attorney, do not have the legal expertise to represent me & dad in this case & do not know the Law. I desperately need the Court to appoint me Attorney's n this very important case.

Medical Examiner's Office Violated My Civil Rights

Per the 5th Amendment:

“...No person shall... be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation...”

Per the 14TH Amendment

“...All persons born or naturalized in the United States... No State shall make or enforce any law which shall abridge (reduce/diminish) the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws...”

“Slavery” is the opposite of “freedom.” Galveston County Officials have *repeatedly* deprived our family of “...life, liberty or property, due process & equal protection.

Galveston “routinely” held innocent citizens like our family & my dad’ corpse “captive” in some type of “custody” or servitude in Violation of our Civil Rights *without* Grand Jury’s, indictments, Trials, Hearings or Evidence of a Crime. In each case there were: No indictments; No Grand Jury; No Attorney’s “before” seizing our family or only “after” CPS/APS Officials had *already* “seized or forced” our family members into Custody. Each “violated” our Civil Rights. My under-aged children & elderly dad were *bullied* by CPS/APS while *unrepresented*. However, the Supreme Court has ruled:

“...that the fundamental guarantees of due process apply to children as well as adults and that they apply in situations in which a juvenile may be deprived of liberty even though the juvenile proceeding may be labeled civil rather than criminal. (In re Gault, 387 U.S. 1, 87 S.Ct. 1428 (1967), *Black's Law Dictionary*)

Galveston routinely “bullies, coerces, investigates, interrogates & searches ” UNEPRESNTED children, adults & elderly citizens while they already have attorneys to get Court-advantage, take children & build Foster/Adoptive Family’s instead, like they did out family. They even take our “dead.” It’s inhumane & Unconstitutional. APS, doctors, psychiatrists & others “repeatedly” questioned my elderly dad without an attorney to advise him of his rights.

In *Gault*, the Court ruled that a “*... child was entitled to notice of the charges, the privilege against self incrimination, the right to confront witnesses, and the right to summon witnesses on his or her Rights...*” I was “deprived” my Civil Rights by Texas/APS/CPS & Galveston County regarding my dad & children. There were “no safeguards” in-place *prior-to* or during “any” state proceeding to assure me or our family were *not* “deprived” these “basic Rights” in *any* State Venue. Civil Rights are *supposed* to be afforded to ALL Americans, however, Texas routinely “deprived” children/adults these basic *Rights* in “secret.”

My dad was stolen & kidnapped by APS & repeatedly “questioned” by Officials & medical staff while he was sick & in Custody without: an attorney, a warrant, indictment; police report, conviction, Due Process or Equal Protection. They all “took-advantage” of my elderly dad while he did not have an attorney. UTMB Hospital sided with dad’s sisters who plotted to have dad declared “mentally incompetent.” (See UTMB Statement, Jennings Hospital Recordings). APS/UTMB all had attorney’s. The D.A. represented the State, not dad. *Meanwhile*, Probate representatives attempted to “coerce” me into a *guardianship* for dad – “twice.” (See “Recordings”)

ALL-sides were not EQUALLY represented during CPS/APS investigations, interrogations & searches but *should have been* - “if” Civil Rights were to be preserved & protected. ALL CPS/APS “investigations, interrogations, searches, exams, proceedings during our case involving our family *should have been* “RECORDED” and submitted & used as “EVIDENCE” since they turned into Court Cases and involved deprivations & violations of our Family’s “Civil Rights.” The Court needs to “hear & see” how APS/CPS *secretly* undermines Justice, “frames” Parents our children in-secret & discriminates against Biological, minority, poor & low-income citizens like our family.

Dad was “elderly” and my children were “minors” before & during CPS/APS investigations & interrogations, yet Texas deliberately “delayed” appointing our family attorney’s until “after” CPS kidnapped them using false allegations, delayed state proceedings *several* months at the cost of the Government& taxpayer’s, then “lost” its case. The whole ordeal was a “farce” set-up by CPS, APS & the D.A. to take my dad & children & separate our family.

Officials/APS/CPS “forced” our family, elderly dad & “under-aged” children to be held “in jail/custody” like criminals, without *Due Process, Equal Protection* or “legal representation,” *unlike* CPS/APS& Law Enforcement who *already* had legal representation. We had “no Attorney’s,” while Officials “did.” It was an “uneven” fight. No Equal Protection. No Due Process. All proceedings were already “fixed” in the States’ favor.

The Defendant’s *willfully, intentionally & deliberately* acted “with malice, ill-intent & bad faith.”

Texas Violated Our Family's Right – To Be Together

The U.S. Supreme Court recognizes “extended family.” (*Moore v. City of East Cleveland*, 431 U.S. 494 (1977) Family includes “...grandparents...who occupy the same household...” *Id at 505.*

My dad, Cornelius P. Wilson – was very much part of our family. The Medical Examiner’s Office – interfered with that. I never gave consent nor signed “any” agreement giving permission for the Medical Examiner’s Office to take my dad’s body.

Negligence by Medical Examiner’s Office

The Medical Examiner’s failed & neglected to do a complete & thorough “background check” on Kayla before issuing my dad’s remains & subsequent Probate Orders.

The M.E.’S Office “broke procedure, did not follow proper protocol, discriminated against me in their “vendetta” and treated our matters “differently,” unlike other cases. The M.E.’s Office made “special exceptions” in its handling of our case & treated us “differently.”

Background

My Dad (Cornelius P. Wilson), lived with us. Dad trusted me (Sheila Bell) to be his caretaker & Power of Attorney. It was an “honor.” Dad had lived with us “on & off” for years.

The Medical Examiner’s Office “refused” to release my dad’s remains to me for burial, held his corpse nearly 1-year, then gave his remains to “Kayla Wilson” who made it clear to me “she was not my sister” which meant she was not dad’ daughter. (See Medical Examiner “Recordings, Kayla’s text”)

I did not sign *any* agreement giving the Medical Examiner's Office permission to take my dad' body, hold, keep it, delay release or release my dad's body to someone else other than myself.

State "Retaliation"

The Medical Examiner's Office acted "presumptuously, with "malice, forethought (they knew me beforehand from other cases), ill-intent and, in "bad faith." Prosecutor's got "mad" after they "lost" their case against us at Trial. (2003). They've been retaliating ever since.

We WON at Trial, but the State "retaliated" by giving-away my children to others. (See "petition denied; Custody Doc.)

Following our 1st visit after trial, Prosecutors had us arrested (See Photo's, Dismissal)

Violations of "Religion & Spiritual Belief's"

The Medical Examiner's office "did not" allow my dad the respect of a decent burial in a "timely & respectful" manner in accordance with The Holy Bible, my Religious & Spiritual Belief's and violated my Civil Rights in doing so.

Medical Examiner's Office: Acted With Malice, Bad Faith, Ill Intent

My dad wanted: me to take care of him like I did hor years, have & handle his assets. I can prove it. However, the Medical Examiner's mishandling of my dad's remains: made it impossible; "jeopardized" that; Violated our Civil Rights; Violated my Human Rights & "desecrated" my dad's memory, body & Rights.

The Medical Examiner's Office *inhumanely, maliciously & negligently* held my dad's body about 10-mos. Per James Funeral Home (Lake Charles, La), dad's body was "badly decomposed" *due* to the delay. (See James Funeral Home "Recording")

Without my knowledge or consent, Kayla had my dad's badly decomposed body shipped to Louisiana, then cremated." By the time found out about it, Kayla had already had made *herself* "beneficiary" to assets my dad himself had already signed-over to me.

In its negligence, the Medical Examiner's Office acted "in-concert" with Kayla to help her "abuse my dad' corpse and defraud dad *again* for the 2nd time.

Around 2013, after about 20-years Kayla contacted to ask for dad's check. She didn't even ask to speak to my dad. She did however, ask for dad's check. Kayla Wilson made "no attempts" to see, contact or speak to my dad for *years* while dad was alive (she had my phone number cause she contacted me); waited until dad was dead, stole his body to steal his assets also, then disgracefully had dad "cremated."

Because it's "vendetta" against me, the Medical Examiner's/Officials "used" Kayla to retaliate against me further. Kayla informed me (via text) she was *not* my sister. Kayla may not be dad's biological daughter. The Medical Examiner's Office was "negligent" in its handling of my dad's body & case.

With "malice, bad faith, ill intent & retaliation" settle an *old-beef* for losing its case against us at trial in 2003, the M.E's office *maliciously* "held" my dad's body nearly 1-year, which, was "excessive, abusive & extraordinarily long" to "inflict emotional distress." Their goal was to inflict & cause me additional pain & suffering. They took my children. They took us. They took dad when he was alive. Then took dad dead.

Probate, Family, Criminal & Civil Cases - All “Link”

In 2003, we had a “Probate, Family & Criminal “ Cases all in the same-year.

Extremely *germane* to this Case is the fact that: the States’ been “stalking, harassing & bullying” our family for nearly 2-decades. Different Cases & Courts “crossed-over” or “linked” over the course of *several* years. The Probate Case caused/led to CPS/Family Cases. The CPS/Family Cases led to a Criminal Case which led to several Civil Cases.

It all stemmed from a “bad plumbing job” paid by Estate/Trust assets of which my husband was “sole beneficiary.” (See Photo’s, Probate Docs, Will, Death Certificate)

The “Probate Case”

My husband’s mom “Katie Mae Bell Saxton-Bell” passed away in 1994 leaving my husband, Christopher Bell (sole beneficiary) an Estate/Trust worth \$hundreds-of-thousands. Chris never got it. It was stolen by Mark Stevens (Attorney) and Beatrice Jones (Executrix). We reported it to Authorities.

To date, neither a “Full Accounting” nor “Final Accounting” has ever been made of “all” Estate/Trust assets.

Mr. Stevens had the Estate/Trust “closed” without a “Final Accounting” as required by law, Section §113.151, 113.152 (Texas Property Code) while we had “no attorney.” We had no attorney throughout most of the Probate Case.

The Probate Case closed in 2003, the same year of our 2003 Family Trial.

None of our State-Paid Court Appointed Attorney's mentioned *one-word* about "missing" Probate Estate/Trust Assets. Due to their negligence, they enabled CPS to depict us as "poor, homeless...destitute...insufficient funds etc..." throughout CPS 2001 Case & Trial. (See UTMB Hospital Intake; CPS Docs.)

UTMB Hospital "labeled" and depicted us as "poor" to help CPS take our children & build its case against us during the 2001 Intake & called in "Referrals" which led to CPS 2001 Case, removal of "all" our children, the 2001 CPS Case, the subsequent 2003 Trial, \$50,000.00 Lien against me (Sheila Bell) and, child support demands which is *still* currently being deducted from my husbands paycheck to this day, even though Won our 2003 Trial.

CPS took all our children & based cases, removals, custody on our "income" throughout our Case & Trial because we were "poor." Were we? CPS made a "Big Deal" out of our *income* throughout the Case & Trial. CPS preys upon the poor.

The 1994 Probate Case Turned Into a CPS Case

All our Cases "connected."

As pertinent as the Probate matter *was*, neither Court (*Probate, Family or Criminal*) "consulted" with the *other* Courts about our Family, even though the Probate Case (illegally) *ended* in 2003, the very "same-year" our "Family Court Trial" *began* & led to other cases or investigations. None of our Attorneys ever mentioned, discussed or introduced "any" Probate evidence or matter during "any" CPS Case, Proceeding or Trial.

The (1994-2003) Probate Case crossed-over & led to the 1998 CPS Case (**closed**) & a 1999 CPS Case (**ruled-out**); CPS used the 1998 & 1999 CPS Cases to open the 2001 CPS Case

against us *and take all* my children (See Petition), The 2001 CPS Case led to our 2003 Trial which the State “lost” (State Petition “denied”); The D.A. “retaliated” by giving-away Custody of “all” my children to others, and, by our 2003 “false arrest” (**dismissed**), and, caused us to lose custody from 2003 to present (“Christian” missing/diagnosed retarded/autistic/disabled & is now “blind”); APS “seized” my dad in 2015 & led to my dad’s 2016 “release” after the nursing home kicked-dad out (See “Nursing Home”); the 2017 Probate case that followed led to the 2018 “cremation” of my dad, Cornelius P. Wilson. Each case was prosecuted by the “same” Galveston Prosecutor’s Office in *Galveston County*, which, led to this current Civil Case now PENDING in Federal Court. The “same D.A.” was involved in each case. Thus the D.A. & Probate Courts “vendetta.”

The 2nd part of the D.A.’s Office “vendetta” against me involved, a Countywide “scandal.”

Former prosecutor & Judge Suzanne Schwab Radcliffe who presided over our CPS & others from 1996 to 2013, when the Judicial Board ruled “against” her dual roles as Judge/attorney. (See Articles) She *abruptly* resigned. But not until she was caught & it became public. (See Articles) By then she had already “separated” thousands of Biological Family’s, taken children from their Biological Parents, forced children into “Foster-care” or Ordered children be “Adopted” because she personally bought “National Adoption Day” to Galveston.

Just two-mos. into our 16-mo. case, former Judge Suzanne Schwab Radcliffe said in-Court she would “never” give me my children back. (See CPS. Jack Lawrence Letter) Her words resonated. CPS, prosecutor’s, CASA, Attorney’s, ad-litem all *followed-suit* throughout my Case & Trial After that, even my own Court-Appointed Attorneys tried to *coerce* me to “surrender

custody” of my own children. (See Susan Edmondson Letter) “ALL” recommendations *from that point on* by “ALL” affiliates involved were against me. We were repeatedly depicted a “poor.” Had we had Estate/Trust Assets “no one” would have been able to label us poor, plus, we would have hired “private attorneys” who would have been able to prove CPS “framed” us.

All of the aforementioned led to this case. Officials are still retaliating.

Nepotism, Cronyisms & “Conflicts of Interest”

Courts, Cases, Officials & relationships interfered with all our cases & impeded Justice. Cases kept “crossing-over.” Our Cases have been “plagued” with “conflicts of interest.” For Example:

During our 2001 CPS Case & 2003 State Trial, former Prosecutor/D.A/Judge Suzanne Schwab-Radcliffe ‘s brother, “Taylor Schwab” was a prosecutor during Court while Ms. Radcliffe presided.

When Detective **Joey Quiroga** “took my children, **Roger “Bo” Quiroga** was Mayor. **“Bonnie Quiroga”** who’s recently been involved in a very “heated,” very “public” & very “costly & lengthy” Court Battle involving County Judge **Mark Henry** who is in a “heated” Court Battle against **Judge Lonnie Cox**. Judge Lonnie Cox is **Mark Stevens** client. **Mark W. Stevens** is Judge Cox’ attorney. Judge Mark Henry is involved in my dad’s Probate case. **Teresa Henry** was the D.A./Lead Prosecutor who “lost” our 2003 Trial then had my husband & I arrested in retaliation. (DISMISSED). **Mark Stevens** is the Attorney who stole my husband’s Estate/Trust in Probate Court. There’s more.

All kinds of “conflicts of interest” persist in this case.

There’s *too many* “conflicts of interest” to get Justice. They gang-up against us in Court. Our Case needs a “change of Venue in order to avoid constant “conflicts of interest” and achieve Justice & impartiality. The cases, people & Systems keep “overlapping” & “crossing-over” each other

“Entanglement Exception”

“...Entanglement exceptions is when is when a “...government affirmatively authorizes, encourages or facilitates private conduct that violates the Constitution...”...Courts cannot enforce racially restrictive covenants...” (*Shelley v. Kraemer* 334 U.S. 1 (1948)

A governments actions can be deemed “...sufficient for State action”...when a government creates “... symbiotic relationship...entanglement...” ma **Burton v. Wilmington Parking Authority** 505 U.S. 42, 50 (1992); 365 U.S. 715 (1961)

Like a (secret) “pact,” Officials “ganged-up” on us *Black, poor, low-income & elderly* Galveston residents/citizens by *forcing* “certain groups” into CPS/APS Cases by *Systematically* “forcing” us off-the-island via CPS/APS Cases. It’s been happening for years. More-so after *Hurricane Ike* (2008) Our family was repeatedly & forcibly *caught in the fray*. The cases were usually held in secret/closed courts/ & private hearings paid by public funds. Most weren’t “recorded.” Mine was. (See “Court Recordings”)

Pre-Ike, Galveston only had about a **10%** Black Population, yet over **50%** of CPS Cases/children for adoption were Black (See Articles); Over **75%** Minorities; **100%** children forced into “...Adoption, State Systems or Guardians (See Articles). Galveston had a **0%**

Reunification-rate among “Biological Family’s in Galveston didn’t happen when (*former*) Judge Suzanne Schwab presided, brought “National Adoption Day” to Galveston & “used” the Court System & “Public” funds to further her own “private” Adoption Cause from 1996 to 2013 (See Our Case) Pre-*Ike*, Galveston’s population was about 55,000, post-*Ike*, about 45,000.

My point is, APS/CPS don’t “reunify.” They “separate” Biological Family’s.

In each of the following cases, the “same” D.A.’s Office was involved, proving The Medical Examiner’s Office, Galveston Officials, APS/CPS facilitated a “pattern” and “history” of discrimination & Official Oppression by Officials deeply involved with CPS/APS. Like in our Case, the Cases “cross-over & overlap” each other & use the “same” Courts, “same” County, “”same” affiliates & people. The Cases were “connected.”

The “degrading, morbid & inhumane” way the Medical Examiner’s Office & Officials: treated our Family, “deliberately & intentionally” delayed the release of my dad’s “remains” to me, and, kept his body over 10-mos. - is “typical” of how Galveston County Officials treats Black Family’s.

CPS/APS discriminated & based removals/cases on “race & income.” In other words, CPS/APS preyed upon the “poor & elderly,” discriminated & built “race-based” & “income-based” cases targeting mostly Black/poor/low-income citizens who made-up the *majority* of its Cases, including my dad & children. “Race” & “income” was a major factor.

Texas notoriously MANDATES “control” of *Minority, poor, low-income, Biological & Elderly* citizens like slaves to keep them under State Control. Galveston Officials don’t want our family’s “free.” Even in “death,” the State demands “control.” As though, *none of us* have Rights or deserve Family’s.

CPS took my children, *Adult Protective Services* took “control” of my dad while The Probate Court tried “twice” to force me into a “Guardianship” regarding my dad. (See “Recordings”)

Chronology of “Combined” Cases (Probate, Criminal, Family & Civil)

Here’s some “Chronology” of what happened:

January 5, 1998, Judge Jerome Jones ORDERED “all” remaining assets & title to our home to be given to *us*. (See 1/5/98 Court Transcript) However, Judge Jones Order was “NOT RECORDED.” While Elaine Michael “neglected” to file the Order, Mark Stevens filed a “fake one” instead giving *his* client title to *our* house. (See (fake) ORDER)

In 1998, the Probate & CPS Cases *collided* after UTMB Hospital refused to discharge our son “Christian” to us *unless* we agreed leave our home & go to a hotel. (See “dc to hotel”) UTMB then made a CPS referral. (See CPS Referral by LeAnn Stubbs/UTMB Hospital Social Worker)

The D.A. made sure I “lost” after I “won” at Trial.

In other words, there’s been a “pattern” of *Official Oppression, harassment & retaliation* by the “same” entities or Officials, “each” with the *same* “common denominator” - the *Galveston County D.A.’s Office* & other Galveston Officials who has *systematically* “attacked” our Family & Violated our Civil & Human Rights.

The States’ been holding a “nasty” *grudge* against me ever since they lost at our 2003 CPS Trial. (See “Termination Denied,” Recordings, Photo’s, Video, Petitions) Officials have

been “retaliating” against me ever since. Even to the point of “seizing & holding” my deceased dad’s *corpse* nearly a “year” causing him to be “badly decomposed.” (See “James Funeral Home Recording) Actions by Officials resulted in “exceptional circumstances, cruel & unusual” treatment & violated our Civil Rights.

Texas Family Law – *Inherently* “Unconstitutional” – No Civil Protections In State courts

Texas Family Law is *boldly, blatantly & inherently* “Unconstitutional” in that it *forcibly* “takes control” of *innocent* American citizens, even “corpses” like in our case, *without* accountability, penalty or consequence & violates U.S. Constitution, our Human & Civil Rights.

It is already well-established, the U.S. has held, “...parents have a liberty interest in the Custody of their children. (*Santosky v. Kramer*, 455 U.S. 745 (1982); *Little v. Streeter*, 452 U.S. 1 (1981); *Stanley v. Illinois*, 405 U.S. 645 (1972)) These cases were decided in Federal Court, not State Court. Nowhere in Texas Family Law is this stated or eluded too in Texas Family Law, nor was it ever mentioned by “any” of my State Court-appointed Attorneys during “any” proceeding or Trial throughout my 16-mo. Case - *on-the-record* or off. State-paid Public Defenders don’t know Federal Law well enough to defend it, so they don’t.

State Courts & Attorneys don’t view *Constitutional Rights* like Federal Courts. There are “different levels of expertise; different fields of law; different training; different trains of thought; different laws. Federal Laws are not important to State Courts. (See Texas Family Law) That’s why Civil Rights are not-only *not* “protected,” they’re not even mentioned.(See our Case) A State Verdict, isn’t going to consider, observe or render a Federal Decision or Ruling because the State *benefits* from “every” case and every soul it takes. *Meaning*, CPS/APS/Texas takes children/adults “for a price,” puts them back into the *same* State System that took them “for-

pay.” Sort of like a “bounty” or “slavery.” There’s “incentives” built-in *every* State Case, and, “no-objectivity” because there’s *always* a “conflict of interest.” (everybody’s paid from the “same-pot”) Because the State “forcibly” puts everyone into a type of servitude, Texas’ process resembles “slavery.” There can never be “fair” hearings or Trials under these circumstances. This is *not* the case with Federal Courts. In order for there to be “fair” Hearings or Trials, there first needs to be an atmosphere where there’s “no bias or incentives” *to begin with*.

Lack of “Safeguards” – Violation Of Civil Rights

In Violation my Civil Rights, there were “no safeguards” *anywhere* in Texas Family Law to “stop or prevent” *Children & Adult Protective Services* from kidnapping my children, my dad or his remains.. Texas Family Law *legislatively, arrogantly & blatantly* defied the U.S. Constitution & my Civil Rights.

A “lack” of “Safeguards” persists in Texas Family Law when it comes to the “protection” the “elderly,” Biological, poor, low-income, minority families. In State Venue’s, there’s: No Due Process; No Equal Protection; no Family Advocates; No Parent Advocates; No Civil Protections; No Civil Attorneys; All affiliates-State Appointed; No Speedy Trials; No Public Trials; No “Fair” Trials; No facing “accuser’s” (they’re given anonymity); No Family “Reunification” Advocates/Specialists; No “watchdogs” to assure Civil/Human rights of “every” citizen are protected. No “RECORDINGS” to expose violations of Civil Rights, except in my case.

There were “No Safeguards” in place in “any” State Venue to “protect” Biological family’s Civil Rights or, preserve family integrity. Which is why: *most* children were taken by CPS; *most* family’s were “separated;” *most* children were put in Foster-Care or Adoption, most Biological Parents “lost” Custody, & many Terminations (Parents Rights) resulted.

“Due Process” – The conduct of legal proceedings according to established rules and principles for the protection and enforcement of private rights, including notice and the right to a fair hearing before a tribunal with the power to decide the case. (*Black’s Law Dictionary*)

“...Due process of law in each particular case means, such an exertion of the powers of government as the settled maxims of law sanctions, and under such safeguards or the protection of individual rights...” (Thomas M. Cooley, A Treatise on the Constitutional Limitations 356 (1868) / *Black’s Law Dictionary*)

Federal Protections and “Safeguards” were never in-place in our case since there were “NO Federal Attorney’s to see they were carried-out in our Family’s behalves, while the State had attorney’s all-along to protect the States’ interests from the day-1 of CPS/APS investigations/interrogations.

Texas Family Law “Language” - *Unconstitutional*

Then, there are obvious contrasts: Federal Courts acknowledges “Parents, Custody & Parents Rights. Texas Family Law instead calls it: Conservator (Parent), movant or possessory & Conservatorship (Custody). Each child is referred to as “possession.” California gave me “Custody,” but Texas took “possession” of my (oldest) children. Is it Constitutional for Texas to *legislatively* violate the U.S Constitution and not apply it or abide by it “the same” as other States?

APS/CPS was *wrong* in our case. Case-in-point: *firstly*, we “WON” our 2003 CPS Case at Trial but the State: never returned my children; REFUSED to give me back *Custody*; DEPRIVED me a *Custody* trial, hearings & proceedings; *still* ORDERED me to pay child support *several years then* USED “child support” as a basis to DENY me my Right to Vote (see Letter) & get a Valid Driver’s License (See Letter); DENIED me my Right to Appeals & wouldn’t pay Lawyers to do it; and, treated me like a guilty criminal even though I was

completely ACQUITTED” of “all” CPS false allegations. *Secondly*, the same entity (D.A.’ Office) that prosecuted our CPS case in which took “all” my children away from me, *also* took my dad when he was alive, then took his corpse after dad passed away. The D.A. was “against” me getting my children back, *and*, were so “against” me getting my dad back they “held/kept” dad’s corpse nearly a *year*. All of this violated our Civil & Human Rights.

For Example:

1. The U.S. Constitution entitled me to “face my accuser’s. *However*, Texas Family Law: gave my accusers “anonymity,” protected them *not me*, concealed their identities during “all” State proceedings; “concealed” their identities during Trial so that jurors never saw them & never heard their testimony because they were *never* “cross-examined;” deprived me my Civil Right to face my accuser’s “in-court.”
2. CPS/APS are Federally mandated by Statute to “reunify” families, *prevent & avoid* “child removals,” *yet* Texas appointed my family, children, husband & I “opposing” attorney’s which “forced” us to be separated and *prevented* our family from being “reunified” throughout the Case & trial. (cite “Immigration” Family Cases)
3. “All” Americans are entitled to “Fair/Speedy/Public Trials, *however*, Texas “discriminates” against accused Biological Parents in APS/ CPS Cases by forcing us into “private” *Full Adversary Hearings* using “public” Funds. A Hearing is *not* a Trial. There’s No Jury. APS/CPS Cases/Hearings/Trials are paid by Public funds but the Public is “barred” from ALL proceedings in violation of the Civil Rights Act of 1964.
4. Is Texas’ *use* of “Public” Funds to pay for “Private” APS/CPS Hearings/Trials that “bars” public attendance a violation of the *Civil Rights Act of 1964*?

5. Should “PUBLIC” Defender’s be paid from “PUBLIC” funds to represent clients in “PRIVATE” CPS/APS Proceedings/Hearings/Trials & Courtrooms in which the “Public” is barred from attending? Is this a violation of the *Civil Rights Act of 1964*?
6. CPS had “legal representation” when they interrogated my children & investigated us. We did not. APS had legal representation when they questioned & took my dad. He did not. Elderly & *Under-age* citizens need the same & EQUAL “protections” APS/CPS has during investigations & interrogations. APS/CPS both *claim* to “protect” children & adults, but “seizes, forcibly detains & interrogates” them while they are “unrepresented” and “unprotected” like they did our family.
7. Family Cases were originally “ruled & decided” by the U.S. Supreme Court, which *in Federal* Court because they involved “Civil Rights,” *because*, thus the implication *was* they were “Civil Cases.” Yet our “Family” Case was heard in “Family/State Court,” even though I alleged the State Violated my Civil Rights. That should have been a “Turning-point.” As should be in *every* case. My attorneys refused to protect my “Family & Parental Rights. They did not “defend” anything.

In “Private” proceedings paid for with “public funds, Texas “forced us” into “unfair” State Proceedings.” Texas’ “version” of *protections*: did not include *Due Process* or *Equal Protections*, did not *began* until *after* CPS/APS has “already” taken child & adult souls into “custody” (as though children don’t have Rights before & during State investigations/interrogations) and, *excluded* Federal lawyers to protect our Biological Family’s in “secret, sealed & closed” Family Cases, *without* Civil Attorney’s. All our Constitutional *protections* were left “bald” with “no one” to protect us from CPS/APS/State Law. Our Rights are “Civil,” but our Attorney’s were “State-paid” & represented “only” State interests. Which, is

precisely why, I “Won” my State 2003 Trial, but still “LOST CUSTODY” of “all-6” of my Children. No Attorney ever “protected” my Constitutional Protected *Right* to Custody. Plus, reunification & custody” are not mentioned in “Family Law.” We’re not “people” but *movants* etc. There’s no “Custody” wording in our Cases, but other names.

NO “Checks & Balances” in Texas Family Law

Clearly, during our CPS/APS Cases & Texas Family Law was the absence of *checks & balances*, and, “Constitutional Protections” to “safeguard” against Violations of our family’s Civil Rights. During investigations, interrogations & Court, Texas Laws that “overruled & ruled-out” the U.S. *Constitution* without “any” Civil Attorneys or Advocates appointed to *protect* our Civil/Human Rights. *In other words*, there were “no watchdogs.” Texas took *full-advantage*.

There’s “no balance” in Texas’ Family Justice System. *Unlike* the U.S. Constitution & Federal Courts, Texas Family Law always “teeter’s” towards the State, not Civil/Human Rights.

There’s *too many* Civil Rights “at risk” of being violated, too many Violations, and “not enough” Protections of Civil Rights in State Venues for “any” Family to get “fair” trials & hearings and “Protections” of our Civil Rights.

Substantial / Procedural Due Process

The U.S. Supreme Court has held that Due Process Clause covers a substantial sphere. (*Sacramento v. Lewis*, 523 U.S. 833, 840 (1998)) Procedural Due Process requires the “...government provide notice of hearing & clear and convincing “evidence” before a Parents

Rights can be terminated. (*Santosky v. Kramer*, 455 U.S. 745 (1982) Yet, Texas Family Law used “reason to believe” (suspicion) to take my children & to terminate my Parental Rights. (See “reason to believe; “Termination)

Texas Family Law “Inhumane”

Texas Family Law is “inhumane” and, is why it morbidly “held” my dad’ corpse nearly a year until he badly decomposed. Its why Adult Protective Services took “possession” of my dad in UTMB Hospital, diagnosed him as “mentally incompetent,” then coerced him to sign a “DO NOT RESCUSITATE ORDER” saying he was “competent” to “discard” him.

Texas appointed “no one” to protect our family’s “Equal Protection“ or “Due Process” Rights.

Relief

I am suing the *Galveston County Medical Examiner*’s office for \$106 Million.

A federal judge can give “...injunctive relief against a state officer even though the injunction will cost the state a great deal of money... (*Quern v. Jordan*, 440 U.S. 332 (1979)

Conclusion

The Medical Examiner’s Office is responsible for its actions.

“...it is not unfair to hold liable the official who knows or should know he is acting outside the law... (*Scheuer* [438 U.S. 478, 507]

“...when a state officer acts under a state law in a manner violative of the Federal Constitution, he “comes into conflict with the superior authority of that Constitution...and is subjected...to the consequences of his conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.” *Id.* at 159-160

Sincerely,



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